

REMARKS

I. INTRODUCTION

Claim 1 has been amended. Support for this amendment can be found at least at ¶ [0010] of the published application. Thus, claims 1-27 remain pending in the present application. No new matter has been added. In light of the above amendments and the following remarks, Applicants respectfully submit that all presently pending claims are in condition for allowance.

II. THE 35 U.S.C. § 112 REJECTIONS SHOULD BE WITHDRAWN

Claims 1-27 stand rejected under 35 U.S.C. §112, second paragraph for being indefinite. Specifically, the Examiner states that the material being whirled up in claim 1 is ambiguous because it seems that the bag itself is being whirled. The Examiner also states that claim 1 lacks essential cooperative relationship of its elements. (See 8/26/09 Office Action, p. 3). In view of the amendments correcting these deficiencies, Applicants respectfully request the withdrawal of these rejections.

III. THE 35 U.S.C. § 103(a) REJECTIONS SHOULD BE WITHDRAWN

Claims 1-7, 9-17, 19-24, and 27 stand rejected under 35 U.S.C. §103(a) as obvious over Sepke (U.S. Patent No. 5,461,751).

Claim 1, as amended, recites, “[a] vacuum cleaner bag, comprising of: an air-permeable filter material disposed inside the vacuum cleaner bag, *wherein the bag includes, per 1000 cm³ volume, between 1 and 30 g of the material which is whirled up under an air flow, the material being whirled up having a volume per mass unit between 5 cm³ /g to 100 cm³/g, and wherein the material being whirled up is kept in circulation under the air flow in an operating state to bind sucked-in dust already in the vacuum cleaner bag.*”

Sepke discloses a vacuum cleaner bag (24) with cedar chips (30) disposed inside. (See Sepke, col. 2, ll. 11-18). The cedar chips (30) are originally placed on the floor and

then sucked up by the vacuum cleaner (10) into the bag (24). In another embodiment, Sepke discloses that the cedar chips (30) can be contained in a sack (32) and that the size of the sack (32) can vary depending on the size of the vacuum cleaner bag (24). The only mention Sepke makes of the dimensions of the bag (32), is that about “one square inch has been found suitable for most applications.” (See *Id.*, col. 2, ll. 34-35). Accordingly, Sepke fails to disclose or suggest “*the bag includes, per 1000 cm³ volume, between 1 and 30 g of the material which is whirled up under an air flow, the material being whirled up having a volume per mass unit between 5 cm³ /g to 100 cm³/g,*” as recited in claim 1. Applicants respectfully submit that one of ordinary skills in the art would not arrive at these claimed dimensions from Sepke’s disclosure.

Furthermore, even if Sepke did disclose the claimed dimensions, which Applicants do not concede, Sepke explicitly discloses that the purpose of these cedar chips is to “act as an air freshener and a pesticide.” (See *Id.*, col. 1, l. 44). In contrast, claim 1 explicitly states that “*the material being whirled up is kept in circulation under the air flow in an operating state to bind sucked-in dust already in the vacuum cleaner bag.*” One of ordinary skills in the art would not use the cedar chips of Sepke to bind sucked-ed in dust. Thus, Applicants respectfully submit that claim 1 and its dependent claims 2-7, 9-17, and 19-21 are allowable.

Claim 22 recites a method “utilizing the vacuum-cleaner bag according to claim 1.” Therefore, Applicants respectfully submit that claim 22 and its dependent claims 23-24 and 27 are also allowable for at least the above-mentioned reasons presented with regards to claim 1.

Claims 8 and 18 stand rejected under 35 U.S.C. §103(a) as obvious over Sepke in view of Guichard et al. (U.S. Patent No. 3,939,694). Claims 25 and 26 stand rejected under 35 U.S.C. §103(a) as obvious over Sepke in view of Lersch et al. (U.S. Patent No. 7,101,423).

Applicants respectfully submit that Guchard and Lersch fail to cure the above-mentioned deficiencies of Sepke and the Sepke, Guichard, and Lersch, taken alone or in any combination, fail to disclose or suggest “*the bag includes, per 1000 cm³ volume, between 1 and 30 g of the material which is whirled up under an air flow, the material being whirled up having a volume per mass unit between 5 cm³/g to 100 cm³/g, and wherein the material being whirled up is kept in circulation under the air flow in an operating state to bind sucked-in dust already in the vacuum cleaner bag,*” as recited in claim 1 and, similarly, claim 22. Because claims 8, 18, 25, and 26 depend on and, therefore, contain all of the limitations of claim 1, it is respectfully submitted that these claims are allowable.

CONCLUSION

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

Dated: February 5, 2010

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